

House
REPUBLICAN
Conference

FloorPrep

Legislative Digest

Tuesday, June 8, 1999

J.C. Watts, Jr.
Chairman
4th District, Oklahoma

*House Meets at 9:00 a.m. for Morning Hour and
10:00 a.m. for Legislative Business*

Anticipated Floor Action:

H.R. 1882—Small Business Review Panel Technical Amendments Act

H.R. 150—Education Land Grant Act

H.R. 1906—FY 2000 Agriculture Appropriations Act



H.R. 1882—Small Business Review Panel Technical Amendments Act

Floor Situation: The House may consider H.R. 1882 under suspension of the rules as its first order of business today. The bill is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

Summary: H.R. 1882 amends the Small Business Regulatory Enforcement Fairness Act (*P.L. 104-121*, SBREFA) to make technical corrections and to require the Internal Revenue Service (IRS) to assemble advocacy review panels to assess the impact of new regulations on small businesses. Current law directs only the Environmental Protection Agency (EPA) and the Occupational Safety and Health Administration (OSHA) to convene such review panels. H.R. 1882 requires each agency (EPA, OSHA, or IRS) to consult with the Chief Counsel for Advocacy of the Small Business Administration when choosing small entity representatives (SERs). The bill directs the agency to provide SERs with adequate information to review any proposed regulations at least 30 days before a review panel convenes. A SER may request an oral presentation instead of a telephone conference call. In addition, the bill requires the notice of proposed rulemaking and the review panel's report to be printed in the *Federal Register* within 120 days.

American businesses spend over \$700 billion annually to comply with federal regulations, and small businesses bear a disproportionate share of these costs. In order to ease the burden of federal regulatory costs on small businesses, Congress in 1996 passed the Small Business Regulatory Enforcement Fairness Act to ensure that rules proposed by the EPA and OSHA and their potential impacts on small entities are fully analyzed before being implemented. This process allows small businesses to voice their concerns through a regulatory review panel before new federal rules are implemented.

Additional Information: See *Legislative Digest*, Vol. XXVIII, #16, June 4, 1999.



H.R. 150—Education Land Grant Act

Floor Situation: The House will consider H.R. 150 after it completes consideration of H.R. 1882. On Tuesday, May 25, the Rules Committee granted an open rule providing one hour of general debate, equally divided between the chairman and ranking minority member of the Resources Committee. The bill makes in order a committee amendment in the nature of the substitute as base text and accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The chairman of the Committee on the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 150 authorizes the Agriculture Secretary to convey Forest Service land for educational purposes under certain conditions. Specifically, the bill allows the secretary to convey up to 80 acres of National Forest System land for use by public or publicly funded schools for a nominal payment. The secretary must determine that the conveyance will serve the public interest, and that the land to be conveyed is not needed for the purposes of the National Forest System. Any conveyance does not include a transfer of mineral rights, and the interest in the conveyed land will revert to the federal government if the recipient attempts to transfer it or use it for anything other than educational purposes. Finally, the secretary must notify applicants within 120 days of applying on a final determination regarding the conveyance, or provide an explanation why the matter has not been determined.

CBO estimates that enactment of H.R. 150 will have no significant impact on the federal budget. Because the bill could result in a loss of offsetting receipts, pay-as-you-go procedures apply. However, CBO estimates that any such effects will total less than \$500,000 each year. The bill was introduced by Mr. Hayworth and was reported by the Resources Committee by voice vote on April 28, 1999.

Views: The Republican leadership supports passage of the measure. The Clinton Administration opposes the measure because the bill requires the Secretary of Agriculture to convey land, determined by the National Forest System to be suitable for educational purposes, for less than fair market value.

Additional Information: See *Legislative Digest*, Vol. XXVIII, #15, May 21, 1999.



H.R. 1906—FY 2000 Agriculture Appropriations Act

Floor Situation: The House may consider H.R. 1906 after it completes consideration of H.R. 150. On Wednesday, May 26, the House continued considering amendments under an open rule. The rule waives House rules that (1) require that committee reports be available three days before consideration; (2) prohibit consideration of legislation within the Budget Committee's jurisdiction unless reported by the

Budget Committee; and (3) prohibit unauthorized or legislative provisions in an appropriations measure. It accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: The bill appropriates \$60.8 billion in new FY 2000 budget authority for agriculture programs—\$834 million less than last year (FY 1999 agriculture funding included \$5.9 billion in emergency spending from the FY 1999 Omnibus Appropriations Act, *P.L. 105-277*) and \$6 billion less than the president's request. Excluding emergency spending from the previous year, this year's appropriation increases agriculture spending by nearly \$6 billion. When scorekeeping adjustments are taken into account, the bill provides \$47 billion for mandatory programs (almost 80 percent of the total) and almost \$14 billion for discretionary programs.

Specifically, H.R. 1906 provides (1) \$20.1 billion for agricultural programs in FY 2000 (\$5.6 billion more than last year); (2) \$800 million for conservation programs (\$6.9 million more than last year) (3) \$2.1 billion for rural economic and community development programs (a \$39.7 million decrease); (4) \$35.5 billion for domestic food programs (\$546.5 million less than last year); (5) \$1.2 billion for foreign assistance programs (a \$36.5 million decrease); and (6) \$1.2 billion for the FDA and related agencies (\$123.6 million more than last year).

Much of the funding in this bill goes toward (1) food stamps (\$21.6 billion); (2) the Food and Drug Administration (\$1.1 billion); (3) child nutrition programs (\$9.5 billion); (4) the Federal Crop Insurance Corporation (\$997 million); and (5) the supplemental nutrition program for Women, Infants, and Children (WIC, \$4 billion).

In addition, the bill increases funding for agriculture credit programs by \$723.8 million, Rural Housing loan authorizations by \$581 million, Food Safety Inspection Service by \$36 million, and Child Nutrition Programs by \$370 million.

CBO estimates that enactment will result in outlays of \$47 billion in FY 2000, \$4.3 billion in FY 2001, \$593 million in FY 2002, \$329 million in FY 2003, and \$457 million in FY 2004 and beyond. The bill was submitted by Mr. Skeen and was reported by the Appropriations Committee by voice vote on May 19, 1999.

Views: The Republican leadership supports passage of H.R. 1906. The president notes that the bill is nearly \$600 million below his request and urges the House to consider enacting his proposed user fee increases to meet his funding requests for programs such as the food safety initiatives, WIC, EQIP, and the Farmland Protection Program.

Amendments: At press time, the *Legislative Digest* was aware of the following amendments to H.R. 1906:

Mr. Bass may offer an amendment (#3) to reduce funding for salaries and expenses for the Animal and Plant Health Inspection Service by \$7 million from the bill's current level of \$444 million. **Staff Contact:** *James Martin, x5-5206*

Mr. Chabot may offer an amendment (#17) to prohibit new allocations under the market access program (MAP). The amendment also prohibits the use of funds for salaries of MAP personnel. MAP provides grants to businesses and trade associations to stimulate exports. The business may promote a generic U.S. industry (e.g., beef), in which case MAP covers 50 percent of the project cost, or the product of an individual company (e.g., a branded product), in which case MAP contributes 10 percent. **Contact: x5-2216**

Mr. Coburn may offer a series of amendments to reduce agriculture programs to their FY 1999 levels. Specifically, he may offer amendments to decrease funding for:

- * the Agriculture Research Service by \$50.9 million from \$836.4 million;
- * the Agriculture Research Service, buildings and facilities account by \$4.5 million from \$44.5 million;
- * salaries and expenses for the Boll Weevil program under the Animal Plant Health Inspection Service by the entire amount of \$16.2 million;
- * the Agriculture Marketing Service by \$321,000 from \$49.2 million;
- * the Food Safety and Inspections Service by \$36 million from \$653 million;
- * the State Mediation Grants by \$2 million from \$4 million; and
- * the Risk Management Agency by \$6.7 million from \$70.7 million. **Staff Contact: Neil Bradley, x5-2701**

Mr. Coburn may offer a series of amendments to eliminate targeted funding within the appropriation for Research and Education. Specifically, the amendments eliminate the following earmarked funding:

- * \$400,000 for the Food Marketing Policy Center in Connecticut;
- * \$320,000 for the fruit and vegetable market analysis in Arizona and Missouri;
- * \$212,000 for the generic commodity promotion, research, and evaluation in New York (the bill, however, currently funds the program at \$198,000);
- * \$1 million for global change research;
- * \$127,000 for global marketing support service in Arizona;
- * \$250,000 for International Agriculture Market Structures and Institutions in Kentucky;
- * \$300,000 for sustainable agriculture research in California;
- * \$5.1 million for wood utilization research in Oregon, Mississippi, North Carolina, Minnesota, Maine, Michigan, Idaho, and Tennessee;
- * \$300,000 for wool research in Texas, Montana, and Wyoming;
- * \$4.6 million for markets, trade, and development;
- * \$300,000 for the National Center for Peanut Competitiveness;
- * \$800,000 for the Food and Agriculture Policy Institute in Iowa and Missouri;
- * \$1 million for the Viticulture Consortium in New York and California;
- * \$1.5 million for precision agriculture research in Kentucky and Mississippi;
- * \$500,000 for ecosystems in Alabama;
- * \$250,000 for floriculture in Hawaii;
- * \$220,000 for low-bush blueberry research in Maine;
- * \$148,000 for Delta rural revitalization in Mississippi;
- * \$127,000 for multi-cropping strategies for aqua-culture in Hawaii;
- * \$200,000 for the Center for Rural Studies in Vermont;
- * \$200,000 for cotton research in Texas;

- * \$3.4 million for shrimp aqua-culture in Arizona, Hawaii, Mississippi, Maine, and South Carolina ; and
- * \$583,000 for Mississippi Valley State University. **Staff Contact: Neil Bradley, x5-2701**

Mr. Coburn may offer a series of amendments to reduce funding for conservation programs to FY 1999 levels (unless otherwise specified). Specifically, he may offer amendments to decrease funding for:

- * conservation operations by \$13 million from \$654.2 million;
- * watershed and flood prevention operations by \$16 million from \$99.4 million to match the president's request (this program recently received \$95 million in supplemental appropriations); and
- * resource conservation and development by \$265,000 from \$35.3 million.

Staff Contact: Neil Bradley, x5-2701

Mr. Coburn may offer a series of amendments to reduce funding for rural development programs to FY 1999 levels. Specifically, he may offer amendments to reduce funding for:

- * the Rental Assistance Program by \$3,000 from \$577.5 million;
- * Mutual and Self-Help Housing Grants by \$2 million from \$28 million;
- * Rural Housing Assistance Grants by \$9 million from \$50 million;
- * Rural Cooperative Development Grants by \$2.7 million from \$6 million; and
- * Rural Utilities Service, Salaries and Expenses by \$2.2 million from \$34.1 million.

Staff Contact: Neil Bradley, x5-2701

Mr. Coburn may offer an amendment to decrease funding for the general sales manager for the Foreign Agricultural Service by \$1.8 million from \$142.3 million. **Staff Contact: Neil Bradley, x5-2701**

Mr. Coburn may offer a series of amendments to decrease funding for programs within the Food and Drug Administration (FDA). Specifically, he may offer amendments to decrease funding for:

- * FDA salaries and expenses in the tobacco program by \$34 million (effectively eliminating the program);
- * FDA buildings and facilities by \$20.4 million from \$31.8 million; and
- * the Commodity Futures Trading Commission by \$4 million from \$65 million.

Staff Contact: Neil Bradley, x5-2701

Mr. Coburn may offer a series of amendments to prohibit any of the bill's funding from being spent on certain programs. Specifically, the amendments prohibit the use of funds for:

- * agricultural law research;
- * agricultural telecommunications;
- * the American Heritage Rivers Initiative;
- * Boll Weevil programs;
- * the Center for Rural Studies;
- * cotton research;
- * delta rural revitalization;

- * ecosystems research;
- * floriculture research;
- * the Food and Agriculture Policy Institute;
- * the Food Marketing Policy Center;
- * the generic commodity promotion, research, and evaluation program;
- * global change;
- * the Global Marketing Support Service;
- * increasing the number of contract employees for USDA;
- * the International Agriculture Market Structures and Institutions;
- * low-bush blueberry research;
- * multi-cropping strategies for aqua-culture;
- * the National Center for Peanut Competitiveness;
- * the National Rural Behavioral Health Center;
- * peanut quality research;
- * personnel who carry out the Commodity Credit Corporation's market promotion program;
- * personnel who carry-out the Market Access Program;
- * precision agriculture research;
- * promoting the sale or export of alcohol or alcoholic beverages;
- * promoting the sale or export of tobacco products;
- * research laboratories at Prosser, WA and Mandan, ND;
- * shrimp aqua-culture research;
- * sustainable agriculture programs in California;
- * the U.S. Man and Biosphere Program;
- * the Viticulture Consortium; and
- * wood utilization research.

Staff Contact: Neil Bradley, x5-2701

Mr. Coburn may offer a series of amendments to prohibit funds to create new employment positions within the Department of Agriculture. Specifically, the amendments prohibit the use of funds for any new positions in the following departments:

- * Agriculture Marketing Service;
- * Agriculture Research Service;
- * Animal Plant and Health Inspection Service;
- * Commodity Futures Trading Commission;
- * Cooperative State Research, Education, and Extension Service;
- * Departmental Administration;
- * Economic Research Service;
- * Foreign Agricultural Service and General Sales Manager;
- * Grain Inspection, Packers and Stockyards Administration;
- * National Agriculture Statistics Service;
- * Natural Resources Conservation Service;
- * Office of the Assistant Secretary for Administration;
- * Office of the Assistant Secretary for Congressional Relations;
- * Office of Budget and Program Analysis;
- * Office of the Chief Economist;

- * Office of the Chief Financial Officer;
- * Office of the Chief Information Officer;
- * Office of Communications;
- * Office of the General Counsel;
- * Office of the Secretary;
- * Office of the Under Secretary for Marketing and Regulatory Programs;
- * Office of the Under Secretary for Natural Resources and Environment;
- * Office of the Under Secretary for Research, Education, and Economics;
- * Office of the Under Secretary for Rural Development;
- * Rural Assistance Program;
- * Rural Business Cooperative Service;
- * Rural Community Advancement Program;
- * Rural Housing Service; and
- * Rural Utilities Service.

Staff Contact: *Neil Bradley, x5-2701*

Mr. Coburn may offer an amendment to prohibit the use of any funding for FDA approval of any drugs used to chemically induce abortions. **Staff Contact:** *Neil Bradley, x5-2701*

Mr. DeFazio and Mr. Bass may offer an amendment (#5) to reduce funding for the Wildlife Services program for lethal predator control by \$7 million, which funds efforts to control the population of wild animals that prey on livestock. **Staff Contact:** *Carrie Lynch (DeFazio), x5-6416; James Martin (Bass), x5-5206*

Ms. Kaptur may offer an amendment (#18) to allow the Agriculture Secretary to transfer up to \$7 million from the \$1.2 billion appropriated for the Rural Housing Insurance Fund for outreach for socially disadvantaged farmers. The Food, Agriculture, Conservation, and Trade Act of 1990 (*P.L. 101-624*) authorized grants for community-based organizations to provide education or agriculture-related services to socially disadvantaged farmers and ranchers. The bill currently provides \$3 million for outreach for socially disadvantaged farmers under Title I. **Staff Contact:** *Bobbi Jeanquart, x5-4146*

Mrs. Meek may offer an amendment (#6) to prohibit funds in the bill from being used to import foreign meat or poultry unless the Agriculture Secretary deems that the country's inspection system provides a level of safety "equivalent" to that provided by the U.S. **Staff Contact:** *John Schelble, x5-4506*

Mrs. Meek may offer an amendment (#7) to prohibit funds in the bill from being used to import any foreign meat or meat food product in violation of the Federal Meat Inspection Act or any foreign poultry or poultry food product in violation of the Poultry Products Inspection Act. **Staff Contact:** *John Schelble, x5-4506*

Mr. Nethercutt may offer an amendment to prohibit the president from restricting exports of food or other agriculture products (including fertilizer), medicines, or medical supplies or equipment except to preserve our national security. This amendment applies only to private commercial exports not subject to federal guarantees or direct credit. **Contact:** *x5-2006*

Mr. Sanders may offer an amendment (#9) to increase funding for the commodity supplemental food program (CSFP) by \$5 million. The bill currently provides \$96 million for CSFP. **Staff Contact:** *Danielle LeClair, x5-4115*

Mr. Sanders may offer an amendment (#10) to increase funding for the commodity supplemental food program by \$7 million above the current appropriation of \$96 million. *Staff Contact: Danielle LeClair, x5-4115*

Mr. Sanders may offer an amendment (#11) to increase funding by \$2 million for competitive grant programs for elementary and secondary schools to work with local farmers to purchase locally-grown foods. The amendment offsets this amount by decreasing funding for the general sales manager of the Foreign Agriculture Service by an equal amount. *Staff Contact: Danielle LeClair, x5-4115*

Mr. Sanders may offer an amendment (#12) to increase funding for the rural community advancement program by \$3 million (the bill currently provides \$666.1 million) and offsets this amount by reducing funding for ocean freight differential grants. *Staff Contact: Danielle LeClair, x5-4115*

Mr. Sanders may offer an amendment (#13) to increase funding for the commodity assistance program by \$10 million and offset the increase by decreasing funding for the Agricultural Research Service by an equal amount. *Staff Contact: Danielle LeClair, x5-4115*

Mr. Sanders may offer an amendment (#14) to increase funding for the commodity assistance program by \$5 million and offset this amount by decreasing funding for the Agricultural Research Service by an equal amount. *Staff Contact: Danielle LeClair, x5-4115*

Mr. Sanford may offer an amendment (#15) to prohibit the use of funds for salaries and expenses of USDA personnel who issue any federal loans to sugar beet or sugar cane processors. *Contact: x5-3176*

Mr. Traficant may offer an amendment (#16) to require that funds authorized by the bill be spent in compliance with the Buy American Act. *Contact: x5-5261*

Mr. Walsh may offer an amendment to prohibit the use of funds to implement new USDA milk marketing orders. Federal milk marketing orders require processors to pay a minimum price for milk based on how the milk is used. The 1996 farm bill (*P.L. 104-127*) requires USDA to issue a final rule to change the federal milk order pricing system and consolidate the number of marketing order regions from 31 to 11. USDA's proposed rule—which will become effective on October 1, 1999, if approved by two-thirds of dairy farmers within each proposed region—will replace milk's basic price formula with a market-determined price and will reduce mandated prices in many orders in the East, Southwest, and West. In 1997, six New England states entered into the Northeast Interstate Dairy Compact, which enables dairy farmers in those states to set higher prices than those guaranteed by the federal government. The Northeast Interstate Dairy Compact will be dissolved once the USDA implements the milk marketing orders. *Staff Contact: Ron Anderson, x5-3701*

Additional Information: See *Legislative Digest*, Vol. XXVIII, #15, May 21, 1999.

